

REMARKS

The Applicants have reviewed the Office Action dated April 6, 2006 and have made amendments to the claims. No new matter has been added by these amendments. Reexamination and reconsideration of this application as amended and in view of the following remarks is requested. The Applicants have cancelled claims 9 and 20, without prejudice, and added new claims 32 and 33. After this amendment, Claims 1-8, 10-19, 21-33 remain pending in this application.

Telephonic Interview

The Applicants wish to thank Examiner Tang for holding a telephone interview on July 13, 2006 to discuss interpretation of the pending claims and the disclosure of the cited prior art references. Differences between the cited prior art and the Applicants invention were discussed in this Telephonic Interview.

Claim Rejections - under 35 U.S.C. §112

The Examiner rejected Claims 1-31 under 35 U.S.C. 112 due to an asserted lack of clarity of the phrase "through use of," which is used in the independent claims. In order to further prosecution, the Applicants have amended the independent claims to read "according to the protocol." Support for these amendments is found in the specification at, for example, page 8, line 31 through page 9, line 8. No new matter has been added by these amendments. The Applicants respectfully assert that the Examiner's rejection under 35 U.S.C. §112 has been overcome by these amendments and that this rejection should be withdrawn.

Claim Rejections - under 35 USC § 102

The Examiner rejected Claims 1-31 under 35 U.S.C. 102(e) as being anticipated by Parry (U.S. Publication No. 2002/0196460). The Examiner cites 35 U.S.C. § 102(e) and a proper rejection requires that a single reference teach (i.e., identically describe) each and every element of the rejected claims as being anticipated by Parry.¹

¹ See MPEP §2131 (Emphasis Added) "A claim is anticipated only if each and every element as set forth

To begin, the Applicants have cancelled claims 9 and 20, without prejudice, thereby rendering the rejection of those claims moot.

With regards to independent claims 1, 11, 12 and 22, the Applicants have amended these claims to more clearly set forth the presently claimed invention. Support for these amendments is found in the specification at, for example, page 8, lines 7-12; page 8, lines 18-21; page 8, line 31 through page 9, line 8; page 13, lines 27-32 and page 14, lines 4-7. No new matter has been added by these amendments.

With regards to the independent claims, the Applicants traverse the Examiner's assertion that the Parry reference teaches "interpreting, through use of the network protocol, the operator display dataset within the printer/computer controller to produce an interpreted operator interface display" or "interpreting, through use of the network protocol, of the operator display dataset." Office Action dated April 6, 2006, page 3, paragraph 1. Firstly, the Applicants traverse the Examiner's characterization of the Parry teachings that the "workstation and printer is considered to be one printing system." Office Action dated April 6, 2006, page 3, paragraph 1. The Applicants assert, particularly within the context of the teachings of Parry, that the workstations of Parry are clearly not part of the "printer" as set forth for the presently claimed invention by the independent claims. The teachings of Parry would not teach or suggest to one of ordinary skill in the relevant arts the presently claimed limitations relating to "interpreting ... within the printer" or "displaying, on a display on the printer".

To further illustrate that Parry teaches the printer and workstation as separate devices, the Applicants point out that Parry refers to control of the printer device through a web page "that can be accessed by a remote workstation or other internet-based device." Parry, page 4, paragraph 0034. The Applicants assert that this distinguishes the Parry

in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim."

reference from the currently claimed invention, which includes “displaying, on a display of the printer.”

With further regards to the independent claims, the Applicants traverse the Examiner’s characterization of the Parry reference as teaching “interpreting, through use of the network protocol, the operator display dataset within the printer/computer controller to produce an interpreted operator interface display.” Office Action dated April 6, 2006, page 3, paragraph 1 (citing Parry, paragraphs 0029, 0033-0035). The Examiner includes remarks concerning the use of “indicators of status via built-in lights and or text or graphics displays” and “providing status over the network using any number of standards.” *Id.* The Applicants respectfully point out that while the Examiner’s remarks concerning indicators and providing status over the network are consistent with the cited portion of Parry, the presently claimed invention is directed towards a completely different scenario as defined by the independent claims. Using independent claim 1 as an example, the “generating” and “interpreting” are performed “within the printer” and the displaying is performed “on a display of the printer” in contrast to the network distributed processing described by Parry.

With regards to claims 2, 13, and 23, the Applicants have amended these claims to more clearly set forth this aspect of the presently claimed invention. Support for these amendments is found in the specification at, for example, page 8, line 31 through page 9, line 8. No new matter has been added by these amendments. The Applicants assert that the cited portion of Parry does not teach interpreting HTTP “within the printer” as is clearly defined by amended claims 2, 13 and 23. The Parry reference concentrates on Java programs used to control the printer. See, Parry, page 2, para. 0021-0022. These Java programs are delivered to remote workstations through HTTP. Parry, page 4, para. 0034. The cited portion of Parry teaches displaying the operator interface by processing Java code to present a display on the printer’s display by, for example, using “Swing” controls. Parry, *Id.* The Applicants have attached to this response a description of “Swing” controls, which are defined as “a GUI toolkit for Java.” Although Java code is

often distributed through HTTP mechanisms, native Java code can be locally executed by a processor, such as the printer processor taught by the Parry reference.

The Applicants have amended claims 3, 14 and 24 to provide proper antecedent basis by conforming to the amendments to the independent claims from which they depend. No new matter has been added by these amendments.

With regards to claims 4, 15 and 25, the Applicants have amended these claims to more clearly set forth this aspect of the present invention. Support for these amendments is found in the specification at, for example, page 10, lines 10-19. The portion of the Parry reference cited by the Examiner teaches using the interface to change a parameter within the printer. Office Action dated April 6, 2006, page 4, paragraph 3 (citing Parry, paragraph 0053). In contrast to using an interface to change a parameter, amended claims 4, 15 and 25 recite “generating the operator display definition is performed in response to an operating parameter within the printer changing independently of user input.” The Applicants assert that the Parry reference does not teach or suggest this limitation, particularly when considering the requirement of “changing independently of user input.”

With regards to claims 5, 16 and 26, the Applicants point out that these claims depend from their preceding claim, e.g., claim 4. Claims 5, 16 and 26 specify some of those parameters that are referred to in the preceding claim from which these claims depend. Unlike the context of claims 4, 15 and 26, from which these claims depend, the cited portion of the Parry reference only teaches using the interface to change the priority of a print job. Office Action dated April 6, 2006, page 4, paragraph 4 (citing Parry, paragraph 0053). As discussed above, the limitation of claims 4, 15 and 26 are not taught or suggested by Parry, and therefore the parameters specified by claims 5, 16 and 26 are similarly not taught or suggested.

With regards to claims 6, 17, and 27, the Applicants have amended these claims

to more clearly set forth this aspect of the presently claimed invention. Support for these amendments is found in the specification at, for example, page 10, lines 10-19. The Applicants point out that the “generating” referred to in these claims refers to “generating an operator display dataset” as set forth in the independent claims. The Examiner states that the cited portion of Parry teaches “print at specified time.” Office Action dated April 6, 2006, page 4, paragraph 6 (citing Parry paragraph 0053). As with claims 4, 15 and 25 above, no automatic generation of operator display datasets (e.g., operator displays) at a time period is taught by Parry. Parry only teaches generating a new display when a new function is selected (e.g., Para. 0055). The Applicants assert that Parry does not teach or suggest “generating the operator display definition ... periodically with a time period” as is set forth by these amended dependent claims.

With regards to claims 7, 18, and 28, the Applicants point out that these claims depend from claims 6, 17, and 27. As discussed above, Parry does not teach or suggest “generating the operator display definition ... periodically with a time period” and therefore does not teach or suggest “wherein the time period is adjusted” as is set forth by these dependent claims. The Examiner cites a portion of Parry that teaches using a control panel to “change various printing device settings associated with the documents stored in job retention.” Parry, paragraph 0053. Examples of the settings that can be changed are given and include reschedule the printing of a document for a specific time. *Id.* The Applicants assert that setting a print job to print at a specific time is not a teaching or suggestion of “wherein the time period is adjusted according to at least one of an operating state of the printer and an error state of the printer” as is set forth by these dependent claims.

As discussed above, independent claims 1, 11, 12 and 27 distinguish over the Parry reference. Because dependent claims include the limitations of the independent claims from which they depend, Dependent claims 2-8, 10, 12-19, 21-26 and 28-32 distinguish over the Parry reference for at least the same reason. The Applicants therefore submit that claims 1-8, 10-19, and 21-33 distinguish over the Parry reference

and that the rejection under 35 U.S.C. §102(e) should be withdrawn.

New Claims

The Applicants have added new claims 32 and 33. Support for new claim 32 is found in the specification at, for example, page 14, lines 4-17. Support for new claim 33 is found in the specification at, for example, page 8, lines 7-22. No new matter has been added by these amendments. The Applicants assert that the aspects of the presently claimed invention set forth by new claims 32 and 33 are not taught or suggested by the cited references.

Conclusion

It is submitted that Claims 1-8, 10-19, 21-33 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of Claims 1-8, 10-19, 21-33 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR § 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and the attorneys.

If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the

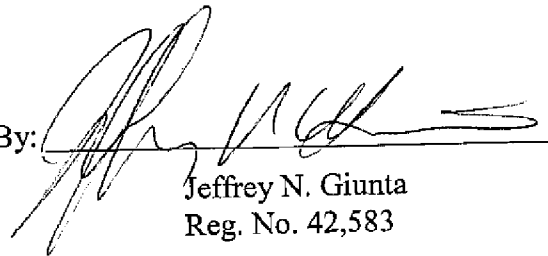
prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

Date: August 7, 2006

By:

A handwritten signature in black ink, appearing to read "Jeffrey N. Giunta", is written over a horizontal line.

Jeffrey N. Giunta
Reg. No. 42,583